

BUSINESS REPORT

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

SENATE AGRICULTURE, LIVESTOCK AND IRRIGATION COMMITTEE

Date: Thursday, February 19, 2009
Place: Capitol

Time: 3:00 pm
Room: 335

BILLS and RESOLUTIONS HEARD:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

SB 415, SB 453, SB 473, SB 478, SJ 7

EXECUTIVE ACTION TAKEN:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

<u>SR 7- Do Pass;</u>	<u>SB 478- TABLED</u>
<u>SB 415- TABLED;</u>	<u>SB 407- Failed</u>
<u>SB 453- Failed;</u>	<u>SB 286- Do Pass</u>
<u>SB 473 - TABLED;</u>	<u>SB 337- Do Pass</u>

COMMENTS:

Donald J. Steinbeisser
SEN. Donald J. Steinbeisser, Chairman

MONTANA SENATE
Roll Call
AGRICULTURE, LIVESTOCK, AND IRRIGATION

DATE: 2.19.2009

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
SEN. DONALD STEINBEISSER, CHAIR	✓	
SEN. TERRY MURPHY, VICE CHAIR	✓	
SEN. GARY BRANAE	✓	
SEN. TAYLOR BROWN		✓
SEN. BRADLEY MAXON HAMLETT	✓	
SEN. KEN HANSEN	✓	
SEN. VERDELL JACKSON	✓	
SEN. CLIFF LARSEN	✓	
SEN. RICK RIPLEY	✓	



SENATE STANDING COMMITTEE REPORT

February 20, 2009

Page 1 of 1

Mr. President:

We, your committee on **Agriculture, Livestock and Irrigation** recommend that **Senate Resolution 7** (first reading copy -- white) **be adopted.**

Signed: Donald J. Steinbeisser
Senator Donald J. Steinbeisser, Chair

- END -

Committee Vote:

Yes 9, No 0

Fiscal Note Required ☐

SR0007001SC.sdr


DR

COMMITTEE FILE COPY

TABLED BILL

The **SENATE AGRICULTURE, LIVESTOCK AND IRRIGATION COMMITTEE** TABLED **SB 415, SB 473, SB 478**, by motion, on **Thursday, February 19, 2009**.

(For the Committee)



(Secretary of the Senate)

9:25 / 2/20
(Time) (Date)

February 20, 2009

Joan A. Linkenbach, Secretary

Phone: 444-1537



SENATE STANDING COMMITTEE REPORT

February 20, 2009

Page 1 of 3

Mr. President:

We, your committee on **Agriculture, Livestock and Irrigation** recommend that **Senate Bill 286** (first reading copy -- white) **do pass as amended.**

Signed: *Donald J. Steinbeisser*
Senator Donald J. Steinbeisser, Chair

And, that such amendments read:

1. Page 1, line 25.

Strike: "Title"

2. Page 2, line 24.

Following: "products"

Insert: "not provided for under 7 CFR, part 1000.40,"

3. Page 2, line 28.

Following: "department"

Insert: "department and"

4. Page 2, line 30.

Following: "state."

Insert: "The board shall conduct hearings and make determinations under this chapter and under board rules and orders promulgated pursuant to this chapter."

5. Page 3, line 2.

Following: "health."

Insert: "(2)"

Strike: "board"

Insert: "department"

6. Page 3, line 4.

Strike: "(2)"

Insert: "(3)"

Committee Vote:

Yes 9, No 0

Fiscal Note Required ☐

SB0286001SC.sdr

DL

Strike: "board shall investigate"

Insert: "department shall assist the board by investigating"

7. Page 3, lines 5 and 6.

Following: "state and" on line 5

Strike: "shall conduct" on line 5 through "board" on line 6

Insert: "by bringing proceedings to enforce the orders of the
board. The department, in exercising its enforcement
duties,"

8. Page 3, line 8.

Strike: "board"

Insert: "department"

9. Page 3, line 9.

Strike: "board" in two places

Insert: "department" in two places

10. Page 3.

Following: line 10

Insert: "(4) The department shall provide staff to the board as
provided in 2-15-121 to assist in technical, enforcement,
and regulatory activities."

11. Page 5, line 19.

Strike: the first "board"

Insert: "department"

12. Page 6, line 4.

Following: "board."

Insert: "A penalty may not be assessed until after the cause of
the penalty has been upheld following the notice and hearing
requirements of subsection (1)."

13. Page 9, line 13.

Following: "board."

Insert: "An enforcement action is subject to the provisions of
[section 16]."

14. Page 10, line 6.

Strike: "board"

Insert: "department"

15. Page 10, line 7.

Strike: "board"

Insert: "department"

16. Page 10, line 10.

Following: "(1)"

Insert: "(a) "

17. Page 10, line 11.

Strike: "department"

Insert: "board"

18. Page 10.

Following: line 16

Insert: "(b) The department and the board may request only the records necessary for establishing milk prices pursuant to this chapter. Records requested under this subsection (1) are confidential and may not be disclosed unless the public's right to know outweighs the licensee's privacy interests."

19. Page 12, line 4.

Insert: "NEW SECTION. **Section 16. Appeal of action or decision.** An entity receiving notice of a violation of a provision of this chapter may within 60 days of receiving the notice from the department or board submit a request to the board for a contested case proceeding pursuant to Title 2, chapter 4, part 6. Upon receiving a request, the board shall appoint a hearings examiner to conduct the hearing and issue a proposal for decision. The board shall issue a final decision within 90 days of receiving the proposal for decision."

Renumber: subsequent sections

20. Page 12, line 6.

Insert: "NEW SECTION. **Section 18. Codification instruction.** [Section 16] is intended to be codified as an integral part of Title 81, chapter 23, part 4, and the provisions of Title 81, chapter 23, part 4, apply to [section 16]."

Renumber: subsequent section

- END -



SENATE STANDING COMMITTEE REPORT

February 20, 2009

Page 1 of 1

Mr. President:

We, your committee on **Agriculture, Livestock and Irrigation** recommend that **Senate Bill 337** (first reading copy -- white) **do pass as amended.**

Signed: Donald J. Steinbeisser
Senator Donald J. Steinbeisser, Chair

And, that such amendments read:

1. Title, page 1, line 6.

Following: "STUDY;"

Insert: "PROVIDING AN EXCEPTION;"

2. Page 2, line 10.

Following: "buffalo or bison"

Insert: "within the state"

3. Page 2, line 11.

Following: "study"

Insert: "unless the wild buffalo or bison are relocated to the national bison range at Moiese"

- END -

Committee Vote:

Yes 9, No 0

Fiscal Note Required ☐

SB0337001SC.sdr

OK

MONTANA STATE SENATE
Roll Call Vote
AGRICULTURE, LIVESTOCK, AND IRRIGATION COMMITTEE

DATE 8-19-2009 BILL NO 415 MOTION NO. _____

MOTION: _____
SB 415 DO PASS AS AMENDED

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SEN. GARY BRANAE	✓		
SEN. TAYLOR BROWN		✓	
SEN. BRADLEY MAXON HAMLETT	✓		
SEN. KEN HANSEN	✓		
SEN. VERDELL JACKSON		✓	
SEN. CLIFF LARSEN	✓		
SEN. RICK RIPLEY		✓	
SEN. TERRY MURPHY, VICE CHAIR		✓	
SEN. DONALD STEINBEISSER, CHAIR		✓	

MONTANA STATE SENATE
Roll Call Vote
AGRICULTURE, LIVESTOCK, AND IRRIGATION COMMITTEE

DATE 9-19-2009 BILL NO SB415 MOTION NO. _____

MOTION: TO Table 415

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SEN. GARY BRANAE		✓	
SEN. TAYLOR BROWN	✓		
SEN. BRADLEY MAXON HAMLETT		✓	
SEN. KEN HANSEN		✓	
SEN. VERDELL JACKSON	✓		
SEN. CLIFF LARSEN		✓	
SEN. RICK RIPLEY	✓		
SEN. TERRY MURPHY, VICE CHAIR	✓		
SEN. DONALD STEINBEISSER, CHAIR	✓		

MONTANA STATE SENATE
Roll Call Vote
AGRICULTURE, LIVESTOCK, AND IRRIGATION COMMITTEE

DATE 2.19.2009 BILL NO SB473 MOTION NO. _____

MOTION: Table 473

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SEN. GARY BRANAE	✓		
SEN. TAYLOR BROWN	✓		
SEN. BRADLEY MAXON HAMLETT	✓		
SEN. KEN HANSEN	✓		
SEN. VERDELL JACKSON	✓		
SEN. CLIFF LARSEN	✓		
SEN. RICK RIPLEY	✓		
SEN. TERRY MURPHY, VICE CHAIR	✓		
SEN. DONALD STEINBEISSER, CHAIR	✓		

MONTANA STATE SENATE
Roll Call Vote
AGRICULTURE, LIVESTOCK, AND IRRIGATION COMMITTEE

DATE 2- BILL NO SB 478 MOTION NO. _____

MOTION: SB 478 Be Amended

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SEN. GARY BRANAE		✓	
SEN. TAYLOR BROWN	✓		
SEN. BRADLEY MAXON HAMLETT		✓	
SEN. KEN HANSEN		✓	
SEN. VERDELL JACKSON	✓		
SEN. CLIFF LARSEN		✓	
SEN. RICK RIPLEY	✓		
SEN. TERRY MURPHY, VICE CHAIR		✓	
SEN. DONALD STEINBEISSER, CHAIR	✓		

MONTANA STATE SENATE
Roll Call Vote
AGRICULTURE, LIVESTOCK, AND IRRIGATION COMMITTEE

DATE 2-19-09 BILL NO SB 478 MOTION NO. _____

MOTION: TABLE 4^{SB} 78

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SEN. GARY BRANAE	✓		
SEN. TAYLOR BROWN	✓		
SEN. BRADLEY MAXON HAMLETT	✓		
SEN. KEN HANSEN	✓		
SEN. VERDELL JACKSON		✓	
SEN. CLIFF LARSEN	✓		
SEN. RICK RIPLEY	✓		
SEN. TERRY MURPHY, VICE CHAIR	✓		
SEN. DONALD STEINBEISSER, CHAIR	✓		

MONTANA STATE SENATE
Roll Call Vote
AGRICULTURE, LIVESTOCK, AND IRRIGATION COMMITTEE

DATE 2-19-09 BILL NO SB 407 MOTION NO. _____

MOTION: SB 407 DO PASS AS AMENDED

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SEN. GARY BRANAE		✓	
SEN. TAYLOR BROWN	✓		
SEN. BRADLEY MAXON HAMLETT		✓	
SEN. KEN HANSEN		✓	
SEN. VERDELL JACKSON	✓		
SEN. CLIFF LARSEN		✓	
SEN. RICK RIPLEY	✓		
SEN. TERRY MURPHY, VICE CHAIR		✓	
SEN. DONALD STEINBEISSER, CHAIR	✓		

MONTANA STATE SENATE

Visitors Register

Agriculture, Livestock, and Irrigation Committee

Date 2-19-2009Bill No. SB 478 Sponsor(s) Senator Brenden

PLEASE PRINT

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Name and Address	Representing	Support	Oppose	Inf.
Deany Iverson ^{32300 Spcam} Robtson ^{MT}	Iverson Ranch		✓	
Richard E. Brady	Individual		✓	
JACKIE Corday	City of Missoula		X	
Dusty Cray	Self		X	
Nicole Rolf	MT Farm Bureau Fed	X		
LOWIS VERO 8470 Sunset Hill greenough	E/L Ranch		X	
Fred Lessl	self		X	
Amorcan Damm	self		X	
Kelly Pohl	Gallatin Valley Land Trust		X	
Casey Perkins	MT Audubon		X	
Robert Sanders	Ducks Unlimited		X	
Neil Sauerhagen	Individual		X	
PALL O RINGLING	MT Land Reliance		X	
Mike Bay	Bay Ranch		X	
Glen Marx	MT Am. of Land Mgr		X	
Phil Rostad	self		X	
Andy Burr	Piedmont Land Trust		X	
Jim Knauer	MNR	X		
JERRY TOWNSEND	RANCHER		X	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE
Visitors Register

Agriculture, Livestock, and Irrigation Committee

Date 2-19-2009

Bill No. SB 478 Sponsor(s) Senator Brenden

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Name and Address	Representing	Support	Oppose	Inf.
<u>Scott Hibbard</u>	<u>Sioben Live Stock Co</u>		<input checked="" type="checkbox"/>	
<u>Dennis Williams</u>	<u>self - Farmer</u>		<input checked="" type="checkbox"/>	
<u>Paul Sihler</u>	<u>FWP</u>		<input checked="" type="checkbox"/>	
<u>Grant Kerr</u>	<u>Five Valleys Land Trust</u>		<input checked="" type="checkbox"/>	
<u>Michael HIRZIS</u>	<u>Gallatin County</u>		<input checked="" type="checkbox"/>	
<u>Tim RAVNAI</u>	<u>MM VA</u>	<input checked="" type="checkbox"/>		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE

Visitors Register

Agriculture, Livestock, and Irrigation Committee

Date 2-19-2009Bill No. SB 415 Sponsor(s) Senator Kaufmann

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Name and Address	Representing	Support	Oppose	Inf.
Chris Brelvi 1120 Terrace Rd.	Peak	✓		
Max Clarke 3124 Vigilante	Peak	✓		
Caleb Noble 442 Parriman	PEAK	✓		
Nathan George 12 N Howest	PEAK	✓		
Jazlyn Young 2 Davidcourt	Peak	✓		
Katelyn Buck 445 N Montana Ave.	Peak	✓		
Willa Fossum	PEAK	✓		
Shea Sampson 660 Mill	PEAK	✓		
Eli Ticknor 440 Silver Lake	SELF		✓	
Jacob Ticknor	SELF		✓	
Bethany Ticknor	SELF		✓	
Thomas Ticknor	SELF		✓	
Hannah Ticknor	SELF		✓	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE

Visitors Register

Agriculture, Livestock, and Irrigation Committee

Date 2-19-2009Bill No. SB 453 Sponsor(s) Senator Curtiss

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Name and Address	Representing	Support	Oppose	Inf.
Dave Klem	MT DED			X
Bob Habeck	MT DED			✓
Jerry Bronshten	Ba Aker			✓
Paul D. Rynla	MT Law Reference		X	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.